



PUBLIC NOTICE

Federal Communications Commission
445 12th Street, S.W.
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Public Notice

DA 07-1662
April 6, 2007

COMMENTS INVITED ON APPLICATION OF AT&T COMMUNICATIONS OF CALIFORNIA, INC., AT&T COMMUNICATIONS OF OHIO, INC. AND AT&T COMMUNICATIONS OF THE SOUTHWEST, INC. TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 07-67
Comp. Pol. File No. 785

Comments Due: April 23, 2007

Section 214 Application

Applicants: AT&T Communications of California, Inc., AT&T Communications of Ohio, Inc. and AT&T Communications of the Southwest, Inc.

On March 20, 2007, AT&T Communications of California, Inc., AT&T Communications of Ohio, Inc. and AT&T Communications of the Southwest, Inc. (collectively AT&T or Applicants), located at P.O. Box 598016, Orlando, FL 32859, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain domestic telecommunications services to customers in Arkansas, California, Kansas, Missouri, Ohio and Oklahoma.

AT&T indicates that it currently provides interstate residential local exchange service to customers in Arkansas, California, Kansas, Missouri, Ohio, and Oklahoma. AT&T specifies that this service is basic telephone exchange service that allows customers to make local calls within a local exchange, which includes local calling areas that cross state boundary lines. AT&T explains that, as a result of the acquisition of AT&T Corp. and its subsidiaries by SBC Communications Inc., AT&T now plans to discontinue the interstate residential local exchange services that it currently provides throughout the AT&T service areas in Arkansas, Kansas, Missouri, Ohio and Oklahoma. and in California, in the geographic area served by AT&T's incumbent local exchange carrier affiliate, AT&T California. However, AT&T states that its incumbent local exchange carrier affiliates, AT&T California, AT&T Ohio, and AT&T Southwest, will provide alternative interstate residential local exchange services. AT&T specifies that following the discontinuance of existing services, the combined entity hopes to migrate all affected residential local exchange customers to one local service platform in each state. AT&T indicates that it plans to cease offering this service as a new service in the affected states on or after May 21, 2007. AT&T states that it also plans to migrate existing customers on or after May 7, 2007 in California; on or after May 28, 2007 in Ohio; and on or after June 11, 2007 in Arkansas, Kansas, Missouri, and Oklahoma, subject to Commission authorization. AT&T maintains that there are many

alternative providers of local exchange telephone service in the affected areas, including but not limited to Comcast in Arkansas and California; Sage Telecom, Inc. in Arkansas, Kansas, Missouri, Ohio and Oklahoma; Time Warner Telecom in Missouri; and the AT&T incumbent local exchange carrier (ILEC) affiliates, AT&T California, AT&T Ohio and AT&T Southwest. According to AT&T, customers also should not experience any loss in service as a result of the discontinuance because AT&T plans to migrate customers automatically to the appropriate AT&T ILEC affiliate unless customers elect to receive service from another provider. AT&T represents that it notified affected customers of the proposed discontinuance by letters sent via U.S. Mail on March 14, 2007. Finally, AT&T asserts that it is non-dominant with respect to the services it proposes to discontinue.

In accordance with section 63.71(c) of the Commission's rules, AT&T's application will be deemed to be granted automatically **on** the thirty-first (31st) day after the release date of this public notice, unless the Commission notifies AT&T that the grant will not be automatically effective. In AT&T's application and notice to customers AT&T indicates that it will no longer offer this service as a new service in the affected states **on** or after May 21st, and that it anticipates migrating existing customers **on** or after May 7th in California, May 28th in Ohio, and June 11th in Arkansas, Kansas, Missouri, and Oklahoma. Accordingly, pursuant to section 63.71(c) and the terms of AT&T's notice and application, absent further Commission action, AT&T may cease to offer service to customers in accordance with its filed representations, and may terminate service to affected customers on or after **May 7, 2007** in California, **May 28, 2007** in Ohio, and **June 11, 2007** in Arkansas, Kansas, Missouri, and Oklahoma. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **April 23, 2007**. Such comments should refer to **WC Docket No. 07-67 and Comp. Pol. File No. 785**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See Electronic Filing of Documents in Rulemaking Proceedings, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided **on** the website for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The

filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than **U.S.** Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. **U.S.** Postal Service first-class mail, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C327, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicants. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals 11, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM. People with Disabilities: To request materials in accessible formats **for** people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or Rodney McDonald, (202) 418-7513 [voice], rodnev.mcdonald@fcc.gov of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding section 214 please visit <http://www.fcc.gov/wcb/cpd/otheradjud>.

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